

AN ACT

To amend section 207 of title 2 of the Code of the Federated States of Micronesia, as amended, for the purpose of requiring congressional action on Presidential nominations within two consecutive sessions of Congress or 30 days of nomination, whichever occurs later, or the nominee is deemed rejected, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 207 of title 2 of the Code of the
2 Federated States of Micronesia, as amended by Public Laws Nos.
3 10-55, 11-40, 13-77, 15-23, and 16-61, is hereby further amended
4 to read as follows:

5 "Section 207. Appointing Authority.

6 (1) The President shall nominate and, with the
7 advice and consent of the Congress, as provided in
8 article X, section 2(d), of the Constitution, shall
9 appoint ambassadors, the secretaries of departments
10 and their deputies, if any, and the head of the office
11 of the Public Defender, including the secretaries, and
12 heads of departments and offices established by
13 subsequent law; and including the chairman and the
14 members of the Board of Advisors for the Investment
15 Development Fund to be appointed by the President; and
16 including the Federated States of Micronesia members
17 of the Board of Regents of the College of Micronesia;
18 and including the Federated States of Micronesia's

1 consul generals and the deputy chiefs of mission of
2 the various embassies and diplomatic missions.

3 (2) The President or his or her designee may appoint
4 officers and employees not included in subsection (1)
5 of this section, without the advice and consent of the
6 Congress; provided that such appointments are not
7 inconsistent with the provisions of this chapter or
8 other laws of the Federated States of Micronesia.

9 (3) Any nomination submitted to Congress which is
10 not confirmed within two (2) consecutive sessions of
11 Congress, including the session in which Congress
12 first receives the nomination, or thirty (30) days,
13 whichever occurs later in time, shall be deemed
14 rejected. A nomination submitted when Congress is not
15 in session shall, for the purposes of this section, be
16 deemed to have been received on the first day of the
17 following session. The President shall not resubmit
18 the nomination of any person to the Congress for its
19 action if the same Congress shall have previously
20 rejected such nomination, unless the Congress shall by
21 resolution authorize such resubmission.

22 (4) With the exception of the Chief Justice and
23 Associate Justices of the Supreme Court, the Public
24 Auditor, members of boards, commissions, and other
25 entities with fixed terms, a public official whose

1 appointment is subject to the advice and consent of
2 the Congress shall submit his or her resignation no
3 later than 90 days after the President of the
4 Federated States of Micronesia takes the oath of
5 office, or at the time a new nominee for such position
6 is confirmed by the Congress, whichever is earlier.
7 The President may renominate the same public official
8 for the same position subject to the advice and
9 consent of the Congress.”

10 Section 2. This act shall become law upon approval by the
11 President of the Federated States of Micronesia or upon its
12 becoming law without such approval.

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June 29, 2011

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/s/Manny Mori

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Manny Mori

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President

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Federated States of Micronesia